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11 Defendant, *in pro se*

12 UNITED STATES DISTRICT COURT  
13  
14 NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO DIVISION)

15 Adobe Systems Incorporated,

16 Plaintiff,

17 v.

18 Todd Bennett, an individual and d/b/a Tonic  
Enterprises, and Does 1-10, inclusive,

19 Defendants.

Case No. C08-1545 MMC

JOINT NOTICE OF SETTLEMENT  
AND ~~[PROPOSED]~~ ORDER  
~~VACATING COURT DATES~~  
CONTINUING CASE MANAGEMENT  
CONFERENCE

20 TO THE COURT:

21 PLEASE TAKE NOTICE THAT Plaintiff Adobe Systems Incorporated ("Adobe") and  
22 Defendant Todd Bennett, an individual and d/b/a Tonic Enterprises ("Defendant"), hereby supply  
23 this notice that they have reached an agreement on the principal terms necessary to settle Adobe's  
24 claims. The Parties are in the process of documenting the terms upon which they have agreed and  
25 will file appropriate closing documents, including a proposed judgment of infringement and  
26 injunction by September 15, 2008.  
27  
28

1 Accordingly, Adobe and Defendant request that all court dates, including the Case  
2 Management Conference set for August 29, 2008, be vacated.

3  
4 Dated: August 14, 2008

J. Andrew Coombs, A Professional Corp.

5 By: Nicole L. Drey  
6 J. Andrew Coombs  
7 Nicole L. Drey  
Attorneys for Plaintiff Adobe Systems Incorporated

8 Dated: August 14, 2008

Todd Bennett, an individual and d/b/a Tonic  
Enterprises

9 By: Todd Bennett  
10 Todd Bennett, an individual and d/b/a Tonic  
11 Enterprises  
Defendant, *in pro se*

12  
13 **PROPOSED ORDER**

14 PURSUANT TO REQUEST, IT IS ORDERED, with the exception that the August 29, 2008  
15 Case Management Conference is continued to October 3, 2008.  
16 DATED: August 18, 2008

17  
18 Maxine M. Chesney  
19 Hon. Maxine M. Chesney  
UNITED STATES DISTRICT JUDGE